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U.S. PTO
10/675086
2278
09/30/03

UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No.	1469
First Inventor	Xu Hu
Title	Pathogen-Responsive Genes, Promoters, Regulatory Elements, and Methods of Use for Same
Express Mail Label No.	EL870385295 US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

- Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
- Applicant claims small entity status.
See 37 CFR 1.27.
- Specification [Total Pages 101]
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (*if filed*)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
- Drawing(s) (35 U.S.C.113) [Total Sheets 08]
- Oath or Declaration [Total Sheets]
 - Newly executed (original or copy)
 - Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
- Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:
 Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450

- CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)
- Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)
 - Computer Readable Form (CRF)
 - Specification Sequence Listing on:
 - CD-ROM or CD-R (2 copies); or
 - Paper
 - Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

- Assignment Papers (cover sheet & document(s))
- 37 C.F.R. 3.73(b) Statement Power of (*when there is an assignee*) Attorney
- English Translation Document (*if applicable*)
- Information Disclosure Statement (IDS)/PTO-1449 Copies of IDS Citations
- Preliminary Amendment
- Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)
- Certified Copy of Priority Document(s) (*if foreign priority is claimed*)
- Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
- Other: Limited Recognition Statement

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

Continuation Divisional Continuation-in-part (CIP) of prior application No: _____ / _____
 Prior application information: Examiner _____ Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

<input checked="" type="checkbox"/> Customer Number	27310	OR <input type="checkbox"/> Correspondence address below
Name		
Address		
City	State	Zip Code
Country	Telephone	Fax

Name (Print/Type)	Claire L. Moxon	Registration No. (Attorney/Agent)	Limited Recognition Statement
Signature	Claire L. Moxon		Date

This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 1316)

Complete if Known	
Application Number	
Filing Date	September 30, 2003
First Named Inventor	Xu Hu
Examiner Name	
Art Unit	
Attorney Docket No.	1469

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Other None
Order
 Deposit Account:

Deposit Account Number 16-1852

Deposit Account Name Pioneer Hi-Bred International, Inc.

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\$)	(\$)
1001	2001	375	Utility filing fee
1002	2002	165	Design filing fee
1003	2003	260	Plant filing fee
1004	2004	375	Reissue filing fee
1005	2005	80	Provisional filing fee

SUBTOTAL (1)

(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

		Extra Claims	Fee from below	Fee Paid
Total Claims	34	-20 **	= 14	X 18 = 252
Independent Claims	9	-3 **	= 6	X 84 = 504
Multiple Dependent	2			X 280 = 560

Large Entity Small Entity

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\$)	(\$)
1202	2202	9	Claims in excess of 20
1201	2201	42	Independent claims in excess of 3
1203	2203	140	Multiple dependent claim, if not paid
1204	2204	42	** Reissue independent claims over original patent
1205	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 1316)

*or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee Code	(\$)	(\$)
1051	2051	65	Surcharge - late filing fee or oath
1052	2052	25	Surcharge - late provisional filing fee or cover sheet
1053	1053	130	Non-English specification
1812	1812	2,520	For filing a request for reexamination
1804	1804	920*	Requesting publication of SIR prior to Examiner action
1805	1805	1,840*	Requesting publication of SIR after Examiner action
1251	2251	55	Extension for reply within first month
1252	2252	205	Extension for reply within second month
1253	2253	465	Extension for reply within third month
1254	2254	725	Extension for reply within fourth month
1255	2255	985	Extension for reply within fifth month
1401	2401	160	Notice of Appeal
1402	2402	160	Filing a brief in support of an appeal
1403	2403	140	Request for oral hearing
1451	1451	1,510	Petition to institute a public use proceeding
1452	2452	55	Petition to revive – unavoidable
1453	2453	650	Petition to revive – unintentional
1501	2501	650	Utility issue fee (or reissue)
1502	2502	235	Design issue fee
1503	2503	315	Plant issue fee
1460	1460	130	Petitions to the Commissioner
1807	1807	50	Processing fee under 37 CFR 1.17 (q)
1806	1806	180	Submission of Information Disclosure Stmt
8021	8021	40	Recording each patent assignment per property (times number of properties)
1809	2809	375	Filing a submission after final rejection (37 CFR § 1.129(a))
1810	2810	375	For each additional invention to be examined (37 CFR § 1.129(b))
1801	2801	375	Request for Continued Examination (RCE)
1802	1802	900	Request for expedited examination of a design application

Other fee (specify) _____

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 0)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Claire L. Moxon	Registration No. (Attorney/Agent)	See Limited Recognition	Telephone	515-253-2162
Signature	<i>Claire L. Moxon</i>		Date	September 30, 2003	

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Certificate of Mailing under 37 CFR 1.10

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Dave Davis
Signature

Dave Davis

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

1. Fee Transmittal (1 orig + 1 copy)
2. Utility Patent Application Transmittal (1 orig + 1 copy)
3. Specification (1 original)
4. 8 Figures (1 copy of each)
5. Application Data Sheet (1 original)
6. Statement to Support Filing and Submission . . . (1 original)
7. Sequence Listing (38 pages) (1 original + 1 diskette)
8. Limited Recognition Statement (1 copy)